

PATENT
Serial No. 10/566,963
Amendment in Reply to Office Action of November 1, 2006
And Notice of Abandonment of May 10, 2007

REMARKS

This Amendment is being filed in response to the Notice of Abandonment mailed on May 10, 2007, and the Office Action of November 1, 2006, which have been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

By means of the present amendment, claims 1-30 have been amended for better clarity and conformance to U.S. practice, such as beginning the dependent claims with 'The' instead of 'A', changing "characterized in that" to --wherein--, and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Claims 1-30 were not amended in order to address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents.

PATENT
Serial No. 10/566,963
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And Notice of Abandonment of May 10, 2007

In the Office Action, the Examiner suggested adding headings to the specification. Applicants gratefully acknowledge the Examiner's suggestion, however respectfully decline to add the headings as they are not required in accordance with MPEP §608.01(a), and could be inappropriately used in interpreting the specification.

In the Office Action, claims 1-30 are rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. Without agreeing with the Examiner, and in the interest of advancing prosecution, claims 1-30 have been amended to remove the alleged informalities noted by the Examiner. It is respectfully submitted that the rejection of claims 1-30 has been overcome and an indication as such is respectfully requested.

In the Office Action, claims 1-4, 13-19 and 28-30 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by WO 01/37309 (Partlo). It is respectfully submitted that claims 1-30 are patentable Partlo for at least the following reasons.

Partlo is directed to a plasma focus light source that includes a conical nested debris collector 5. The debris collector

PATENT
Serial No. 10/566,963
Amendment in Reply to Office Action of November 1, 2006
And Notice of Abandonment of May 10, 2007

5 collects debris resulting from a plasma pinch, as recited on page 11, line 10. As clearly shown in FIG 9, the conical nested debris collector 5 is located between a dense plasma focus (DPF) radiation source and a collector director 4 that receives the radiation from the DPF. That is, the debris collector 5 prevents debris from reaching the collector director 4.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 16, amongst other patentable elements, requires (illustrative emphasis provided) :

adjusting at least one of a temperature prevailing on the surface and a pressure in the vacuum chamber such that the contaminants hitting the surface are removed from a desired portion of said surface.

Further, the present invention as recited in independent claim 31, amongst other patentable elements, requires (illustrative emphasis provided) :

a controller configure to adjust at least one of a temperature of the surface and a pressure in the chamber such that the contaminants are moved toward the at least one obstacle.

There is simple no teaching or suggestion in Partlo of

PATENT
Serial No. 10/566,963
Amendment in Reply to Office Action of November 1, 2006
And Notice of Abandonment of May 10, 2007

removing contaminants from a desired portion of a surface, or
moving the contaminants toward an obstacle. Rather, Partlo merely
teaches to prevent contaminants from reaching a surface by
capturing the contaminants located in the path between the DPF
radiation source and the collector director 4, and NOT BY MOVING
the contaminants toward an obstacle.

Accordingly, it is respectfully submitted that independent claims 1, 16 and 31 are allowable, and allowance thereof is respectfully requested. In addition, as claims 2-15 and 17-30 depend from independent claims 1, 16 and 31, Applicants respectfully request that claims 2-15, 17-30 and 32 also be allowed.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of

PATENT
Serial No. 10/566,963
Amendment in Reply to Office Action of November 1, 2006
And Notice of Abandonment of May 10, 2007

the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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Enclosure: Petition to Revive
New Abstract

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